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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,710	10/23/2003	Mark E. Armstrong	03-090	9784
30472	7590	06/21/2005		
ANTHONY D. PELLEGRINI RUDMAN & WINCHELL, LLC 84 HARLOW STREET P.O. BOX 1401 BANGOR, ME 04402-1401			EXAMINER THOMPSON, HUGH B	
			ART UNIT 3634	PAPER NUMBER

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,710

Applicant(s)

ARMSTRONG, MARK E.

Examiner

Hugh B. Thompson II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-23-03, 4-7-04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 6, and 10, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 5, the phrase “and/or” is improper and should be removed.

With respect to claim 10, the applicant has positively recited the combination of the wall and the system of claim 8. Is the wall required? Note that a claim further limiting the wall, fails to further limit the system, as claim 8 is not drawn to a wall of any kind.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Carter #3,590,734. Carter discloses a desk top ink stamp system comprised of storage rack 10, ink stamp 32, second magnetic mount 34, and an upward extending first magnetic mount 28 of a plurality of magnetic double sided storage panels, as recited in column 2, lines 25-32, which receive additional stamps.

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Claims 1-4, 8-12, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Carter #3,314,634. Carter discloses a wall/table mountable ink stamp system 10, 30, comprised of rack/strip/panel 12, 16, a first magnetic mount 26, a non self-inking ink stamp 45 (with a handle), a second magnetic mount 14, which is mounted to a face of the stamp, a reversible feature, as recited in column 2, lines 54-56, and wall mount means 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zahn et al #4,534,471 in view of Carter 734' or 634', as advanced above. Zahn et al disclose a table mounted rotatable storage rack system for ink stamps comprised of base 23 and storage panels 21, 22 that are rotatably connected with respect to the base, and support stamps 1, 12, thereon by means of clips/mounts 1. Zahn et al fail to disclose magnetic mounts for the ink stamps.

Carter 734' or 634', both disclose magnetic mount assemblies for ink stamps that allow for quick access removable storage of ink stamps. Therefore, to one of ordinary skill, it would have been obvious, as a matter of engineering design choice, to provide the ink stamp storage system of Zahn et al with magnetic mounts as taught by Carter 734' or 634', so as to provide for quick access removable storage of ink stamps, while producing no new and unexpected results.

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Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter 734' or 634' as applied to claims 1-4, 8-12, and 14, and claims 1, 4, and 7, respectively, above, and further in view of Bertoni et al #6,510,951. Carter 734' or 634', fail to disclose self-inking stamps. Bertoni et al teach the utility of a self-inking stamp storage system 10 for storing self-inking stamps. Therefore, to one of ordinary skill in the art, it would have been obvious, as a matter of engineering design choice, to provide the systems of Carter 734' or 634' with self-inking stamps, this being no more than a design choice not expected to produce any new and unexpected results.

Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter-734 as applied to claims 1 and 4-6 above, and further in view of Hyatt #5,762,304. Carter-734 fails to disclose a two-sided adhesive pad used to reduce slippage of the ink stamp system. Hyatt teaches the utility of an article holder 10, 20, having a two-sided adhesive pad secured to a base 28 thereof, used to firmly secure the holder to a variety of surfaces in the home or office, i.e., a desk. Therefore, to one of ordinary skill in the art, it would have been obvious to provide the base of the ink stamp system of Carter with a two-sided adhesive pad as taught by Hyatt, so as to firmly secure the system to a variety of surfaces in the home or office, i.e., a desk, while producing no new and unexpected results.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carter in view of Hyatt as applied to claims 15 and 17 above, and further in view of McArdle #5,180,066. The system of Carter in view of Hyatt fails to disclose a panel/holder made of acrylic. McArdle teaches the utility of an article holder made of acrylic, this fabrication material allowing for a lightweight transparent panel/holder that is easy to tint, color or imprint. Therefore, to one of

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ordinary skill in the art, it would have been obvious to fabricate the panel of Carter in view of Hyatt from acrylic as taught by McArdle, this fabrication material allowing for a lightweight transparent panel/holder that is easy to tint, color or imprint.

Conclusion

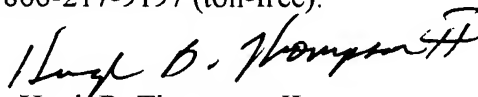
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Parker #2,386,500, Sinkiewicz #2,996,004, Warren #2,457,421, Curley #2,474,036, McIntosh #4,605,292, Gidley et al #4,144,108, Dembowiak et al #6,425,560, Kanzelberger #5,305,538, and Shiao #6,811,127 are cited to teach article holders.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (571) 272-6837. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hugh B. Thompson II
Primary Examiner
Art Unit 3634

June 13, 2005